

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DELFON BLAIR,  
Plaintiff,

vs.

MACY'S, *et al.*,  
Defendants.

Case No. 1:13-cv-180

Spiegel, J.  
Litkovitz, M.J.

**ORDER**

This matter is before the Court on plaintiff's "question" in which he states:

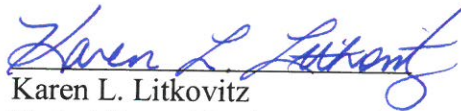
This wasn't filed not from a different date it was filed on the same as Blair v. Wal-mart, Blair v. Best buy, would your first two case be pending, or would they all been pending, If so requesting relief to Fed. R. Civ. R. P. 12 (2) or (3), thank you.

(Doc. 24).

In view of this Court's Order and Judgment entry dismissing plaintiff's case for lack of prosecution on September 10, 2013 (Docs. 20 and 21), plaintiff lacks authority to file, and this Court lacks any basis upon which to consider plaintiff's filings. *See* Fed. R. Civ. P. 59, 60. *See also* *Lewis v. Alexander*, 987 F.2d 392, 394 (6th Cir. 1993) ("As a general rule, the district court loses jurisdiction over an action once a party files a notice of appeal, and jurisdiction transfers to the appellate court."). Therefore, plaintiff's motion is **DENIED**.

**IT IS SO ORDERED.**

Date: 2/27/18

  
Karen L. Litkovitz  
United States Magistrate Judge